

**Assembly Bill No. 693**

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Passed the Assembly    April 7, 2003

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*Chief Clerk of the Assembly*

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Passed the Senate    July 7, 2003

\_\_\_\_\_  
*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2003, at \_\_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to amend Section 798.86 of the Civil Code, relating to mobilehome parks.

## LEGISLATIVE COUNSEL'S DIGEST

AB 693, Corbett. Mobilehome parks: actions.

Existing law, the Mobilehome Residency Law, regulates the terms and conditions of mobilehome park tenancies. The Mobilehome Residency Law requires that in an action to enforce its provisions, the prevailing party shall be entitled to reasonable attorney's fees and costs and, if a homeowner or former homeowner of a park is the prevailing party, as specified, the homeowner, in addition to damages afforded by law, may be awarded an amount not to exceed \$2,000 for each willful violation by park management.

This bill would provide that a prevailing homeowner or former homeowner may be awarded either punitive damages or the statutory penalty described above.

*The people of the State of California do enact as follows:*

SECTION 1. Section 798.86 of the Civil Code is amended to read:

798.86. (a) If a homeowner or former homeowner of a park is the prevailing party in a civil action, including a small claims court action, against the management to enforce his or her rights under this chapter, the homeowner, in addition to damages afforded by law, may, in the discretion of the court, be awarded an amount not to exceed two thousand dollars (\$2,000) for each willful violation of this chapter by the management.

(b) A homeowner or former homeowner of a park who is the prevailing party in a civil action against management to enforce his or her rights under this chapter may be awarded either punitive damages pursuant to Section 3294 of the Civil Code or the statutory penalty provided by subdivision (a).



Approved \_\_\_\_\_, 2003

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*Governor*

